

1 AN ACT in relation to highways.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Illinois Highway Code is amended by  
5 changing Sections 6-130, 6-508, and 6-701.8 and adding  
6 Section 6-132 as follows:

7 (605 ILCS 5/6-130) (from Ch. 121, par. 6-130)

8 Sec. 6-130. Notwithstanding any other provision of this  
9 Act to the contrary, no township road district may continue  
10 in existence if the roads forming a part of the district do  
11 not exceed a total of 4 miles in length. On the first Tuesday  
12 in April of 1975, or of any subsequent year next succeeding  
13 the reduction of a township road system to a total mileage of  
14 4 miles or less, each such township road district shall, by  
15 operation of law, be abolished. The roads comprising that  
16 district at that time shall thereafter be administered by the  
17 township board of trustees by contracting with the county, a  
18 municipality or a private contractor. The township board of  
19 trustees shall assume all taxing authority of a township road  
20 district abolished under this Section.

21 (Source: P.A. 83-605.)

22 (605 ILCS 5/6-132 new)

23 Sec. 6-132. Recycling. A road district may organize or  
24 participate in one or more recycling programs and may use  
25 moneys in its district road fund to pay for all or part of  
26 the direct costs of recycling.

27 (605 ILCS 5/6-508) (from Ch. 121, par. 6-508)

28 Sec. 6-508. (a) For the purpose of constructing or  
29 repairing bridges, culverts, drainage structures or grade

1 separations, including approaches thereto, at the joint  
2 expense of a county and a road district and obtaining aid  
3 from the county as provided in Section 5-501 of this Code,  
4 there may be included in the annual tax levies provided for  
5 in Section 6-501 of this Code a tax of not to exceed .05% of  
6 the value of all the taxable property in the road district,  
7 as equalized or assessed by the Department of Revenue, which  
8 tax shall be in addition to and may be in excess of the  
9 maximum levy and may be extended at a rate in addition to and  
10 in excess of the tax rate for road purposes authorized under  
11 Section 6-501 of this Code.

12 Such tax, when collected, shall constitute and be held by  
13 the treasurer of the district as a separate fund to be  
14 expended for the construction or repair of bridges, culverts,  
15 drainage structures or grade separations, including  
16 approaches thereto, at the joint expense of the county and  
17 the road district. The highway commissioner shall separately  
18 specify in the certificate required by Section 6-501 the  
19 amount necessary to be raised by taxation for the purpose of  
20 constructing or repairing bridges, culverts, drainage  
21 structures or grade separations, including approaches  
22 thereto, at the joint expense of the county and the road  
23 district. Upon the approval by the county board of the  
24 amount so certified as provided in Section 6-501 of this  
25 Code, the county clerk shall extend the same against the  
26 taxable property of the road district, provided the amount  
27 thus approved shall not be extended at a rate in excess of  
28 .05% of value, as equalized or assessed by the Department of  
29 Revenue.

30 When any improvement project for which a tax may be  
31 levied under this Section has been ordered as provided in  
32 Section 5-501 and the estimated cost of such project to the  
33 road district is in excess of the amount that will be  
34 realized from the annual tax levy authorized by this Section

1 when extended and collected, then the road district may  
2 accumulate the proceeds of such tax for such number of years  
3 as may be necessary to acquire the funds necessary to pay the  
4 district's share of the cost of such project. In counties in  
5 which a property tax extension limitation is imposed under  
6 the Property Tax Extension Limitation Law and the imposition  
7 of the property tax extension limitation prevents a road  
8 district from levying taxes for road purposes at the required  
9 rate, a road district may retain its eligibility if, at the  
10 time the property tax extension limitation was imposed, the  
11 road district was levying at the required rate and continues  
12 to levy the maximum allowable amount after the imposition of  
13 the property tax extension limitation. It shall not be a  
14 valid objection to any subsequent tax levy made under this  
15 Section that there remains unexpended money arising from a  
16 preceding levy of a prior year because of the accumulation  
17 provided for in this Section.

18 The rate limitation imposed by this Section may be  
19 increased for a 10 year period to up to 0.25% of the value of  
20 all the taxable property in the road district, as equalized  
21 or assessed by the Department of Revenue if the proposition  
22 for the increased tax rate is submitted under Sections 6-504  
23 and 6-505 and receives a majority of all ballots cast on the  
24 proposition at the election held under Section 6-505.

25 (b) All surplus funds remaining in the hands of the  
26 treasurer of the road district after the completion of any  
27 construction or repairing of bridges, culverts, drainage  
28 structures or grade separations, including approaches  
29 thereto, under this Section, shall be turned over at the  
30 request of the highway commissioner, with the written consent  
31 of the county superintendent, to the regular road fund of the  
32 road district. Upon such request, no further levy under this  
33 Section is to be extended by the county clerk unless the  
34 proposition authorizing such further levy is submitted under

1 Sections 6-504 and 6-505 and receives a majority of all  
2 ballots cast on the proposition at the election held under  
3 Section 6-505.

4 (c) The moneys from this tax may also be used for  
5 construction and maintenance of bridges, culverts and other  
6 drainage facilities, or grade separations, including  
7 approaches thereto, on, under, or over the district roads,  
8 without joint county funds being involved and without  
9 limitation as to size of project, but only if adequate funds  
10 are available for all projects for which the road district  
11 has petitioned the county for joint participation. If the  
12 project size is over \$10,000 ~~\$5,000~~, the road district  
13 commissioner shall also obtain the permission of the county  
14 engineer.

15 (Source: P.A. 92-268, eff. 1-1-02.)

16 (605 ILCS 5/6-701.8) (from Ch. 121, par. 6-701.8)

17 Sec. 6-701.8. The formula allocation for township and  
18 road districts for the distribution of motor fuel tax funds,  
19 provided for in Section 8 in the "Motor Fuel Tax Law", may be  
20 used by the highway commissioner, subject to the conditions  
21 set out in Sections 6-301, 6-701.1 and 6-701.2 as respects  
22 the methods, equipment and materials appropriate for such  
23 maintenance or improvement, and, in township counties, with  
24 the approval of the board of town trustees, for the  
25 maintenance or improvement of nondedicated subdivision roads  
26 established prior to July 23, 1959. Any such road improved  
27 becomes, by operation of law, a part of the township and  
28 district road system providing such road meets standards as  
29 established by the county. In township counties, the board of  
30 town trustees shall condition its approval, as required by  
31 this Section, upon proportional matching contributions,  
32 whether in cash, kind, services or otherwise, by property  
33 owners in the subdivision where such a road is situated. No

1 more than the amount of the increase in allocation  
2 attributable to this amendatory Act of 1979 and any  
3 subsequent amendatory Act plus 50% 20% of such funds  
4 otherwise allocated under the formula as provided in Section  
5 8 in the "Motor Fuel Tax Law" and subsequently approved as  
6 provided in this Section, may be expended on eligible  
7 nondedicated subdivision roads.

8 (Source: P.A. 83-957.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.